

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

NIKOLIA ROMANTCHENKO,

Defendant.

DECISION AND ORDER
04-CR-278S

1. On October 26, 2004, this Court referred this matter to the Honorable Hugh B. Scott, United States Magistrate Judge, for all pretrial matters pursuant to 28 U.S.C. § 636(b)(1)(A), and thereafter to file a Report and Recommendation.

2. On June 22, 2005, after hearing argument, Judge Scott filed a Report and Recommendation recommending that Defendant's Motion to Suppress be held in abeyance pending a hearing.

3. No objections to the Report and Recommendation were received from either party within ten (10) days from the date of its service, in accordance with 28 U.S.C. § 636(b)(1)(C) and Local Rule 72.3(a)(3).

4. This Court has carefully reviewed Judge Scott's June 22, 2005 Report and Recommendation, as well as the pleadings and materials submitted by the parties.

IT HEREBY IS ORDERED that this Court accepts Judge Scott's June 22, 2005 Report and Recommendation (Docket No. 29).

FURTHER that Defendant's Motion for Suppression of Statements and of the Cell Phones (Docket No. 23) shall be HELD IN ABEYANCE PENDING A HEARING.

SO ORDERED.

Dated: August 9, 2005
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge